

# LYNCHBURG CITY COUNCIL

## Agenda Item Summary

MEETING DATE: **May 13, 2003**

AGENDA ITEM NO.: 14

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

**ITEM TITLE: Public Hearing Regarding Vacating A Portion of Public Right-of-Way located at the end of Lockwood Drive**

### RECOMMENDATION:

Adopt an ordinance vacating a portion of public right-of-way located at the end of Lockwood Drive.

### SUMMARY:

Mr. Bill Jamerson, of Jamerson Company, has requested that a portion of public right-of-way located at the end of Lockwood Drive. The Technical Review Committee comment has been incorporated into the proposed ordinance.

### PRIOR ACTION(S):

April 1, 2003: Technical Review Committee Review

May 6, 2003: Physical Development Committee Review

### BUDGET IMPACT:

None

### CONTACT(S):

Pat Kost 847-1443/228

Tracey Norvelle 847-7796

### ATTACHMENT(S):

- Ordinance
- Map
- Technical Review Committee Report
- Application

REVIEWED BY: lkp

AN ORDINANCE VACATING A PORTION OF PUBLIC RIGHT-OF-WAY LOCATED AT THE END OF  
LOCKWOOD DRIVE

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WHEREAS, the City of Lynchburg, on its own motion, is proposing to vacate a portion of public right-of-way located at the end of Lockwood Drive; and

WHEREAS, the petitioner owns all of the adjoining property; and

WHEREAS, City Council finds that no public inconvenience will result from vacating this portion of public right-of-way;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg, on its own motion, and in accordance with the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 36-77 of the City Code, 1981, as amended, the following described portion of public right-of-way be, and the same hereby is, discontinued and vacated, namely:

Beginning at a point on the northeastern corner of lot 20 of Duncraig Court Subdivision; thence N 11°32'52" W 69.61' to a point; thence N 78°07'12" E 50.00' to a point on the western line of lot 5 of Lockwood Ridge Subdivision; thence along the western line of lot 5 of Lockwood Ridge Subdivision S 11°52'48" E 69.62' to a point; thence leaving said western line of lot 5 of Lockwood Ridge Subdivision S 78°07'28" W 50.00' to the point of beginning, containing 0.08 acres.

Said vacation is contingent upon the following: (1) that Lockwood Ridge Lot 5, located to the east, be combined with the property to the north in order to allow for the minimum street frontage of 100'; and (2) that an easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg, and the construction of any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate, relocate, repair, replace and maintain and perpetually operate utilities is prohibited without the prior written approval of the City Manager's Office, City Utilities Division and the City Engineering Division.

BE IT FURTHER ORDAINED That the Clerk of Council is hereby authorized and directed to deliver a duly-certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg.

Adopted:

Certified:


\_\_\_\_\_  
Clerk of Council

080P



**Patricia W Kost**

03/20/2003 08:41 AM

To: Mike Gambone/CityHall/COL  
cc:  
Subject: Re: Lockewood Dr. R/W Vacation 

Thanks for the information.

Pat

Patricia W. Kost, CMC  
Clerk of Council  
Council/Manager Offices  
(434) 847-1443 ext. 228  
Fax: (434) 847-1536  
patricia.kost@lynchburgva.gov  
Mike Gambone



**Mike Gambone**

03/19/2003 10:08 AM

To: Patricia W Kost/CityHall/COL@COL  
cc:  
Subject: Lockewood Dr. R/W Vacation

Pat:

The adjoining lot shown on the plat as being owned by Michael Mayo was purchased on 2/24/03 by Jamerson Company, so Jamerson does own all the surrounding property.

Mike



DEPARTMENT OF COMMUNITY  
PLANNING AND DEVELOPMENT

April 11, 2003

TO: Patricia W. Kost, Clerk of Council

FROM: Annette M. Chenault, Planner II *Annette M. Chenault*

RE: Street Vacation – Portion of Lockewood Drive  
TRC Review: April 1, 2003

On April 1, 2003 the Technical Review Committee (TRC) reviewed the street vacation for a portion of Lockewood Drive. Following are the comments:

1. The subject project proposes the vacation of a .080 acre portion of Lockewood Drive. City Council must approve the vacation of public rights-of-way. An application for a street vacation is available through the City Manager's Office. Contact Pat Kost, Clerk of Council, at 847-1443 for further information.
2. If the proposed right-of-way vacation is granted, *Lockewood Ridge Lot 5*, located to the east, would not have the minimum street frontage of 100'. In order to approve the right-of-way vacation, this lot would be required to be combined with the property to the north.

Attachment

pc: Technical Review Committee

APPLICATION FOR THE VACATION OF A

street  
(Street/Alley)

LOCATED BETWEEN

end of Lockewood Drive

The undersigned applicant, Jamerson Co. (Bill Jamerson),  
pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as  
amended, and Section 35-71 through Section 36-77 of the City Code, 1981, as  
amended, respectfully makes application to the Lynchburg City Council for the vacation  
of that certain right-of-way described as follows:

See attached description.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

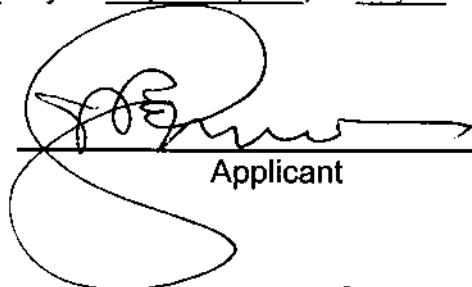
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The applicant further requests the Lynchburg City Council to hold a public  
hearing on this application at its meeting to be held in the Council Chambers, City Hall,  
900 Church Street, Lynchburg, Virginia, on May 13, 2003, at 7:30 p.m., or as  
soon thereafter as the matter may be heard, and at the conclusion of which hearing to  
consider whether or not to vacate the above described right of way.

Given under my hand this 14 day of MARCH, 2003.

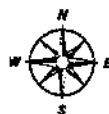
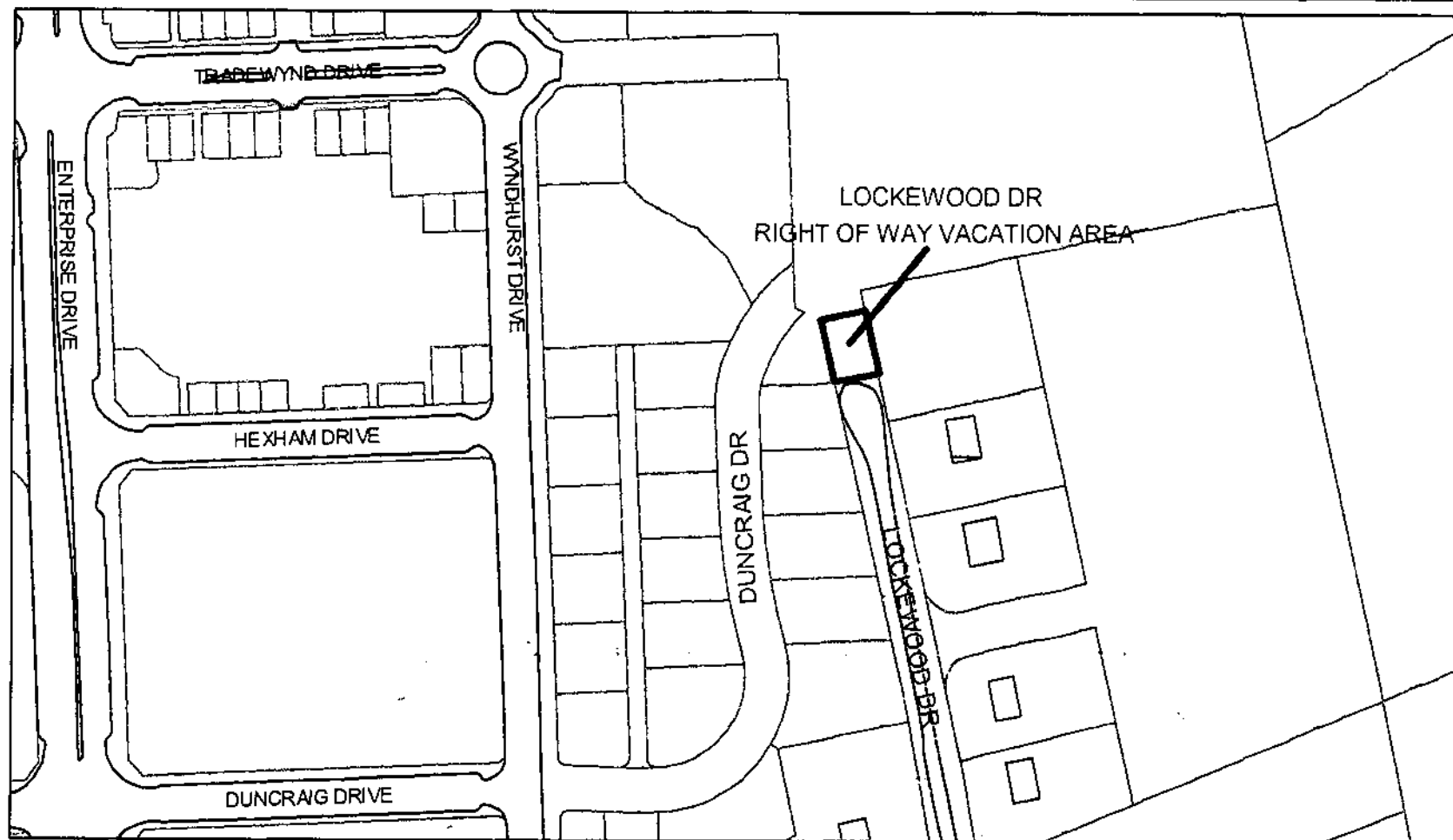


Applicant

P.O. Box 395, APPOMATTOX, VA  
Address

352 - 8227  
Telephone Number

WE, THE ADJOINING PROPERTY OWNER(S), ARE IN AGREEMENT TO THE  
VACATION OF THE ABOVE DESCRIBED PROPERTY:



# LOCKEWOOD DR'

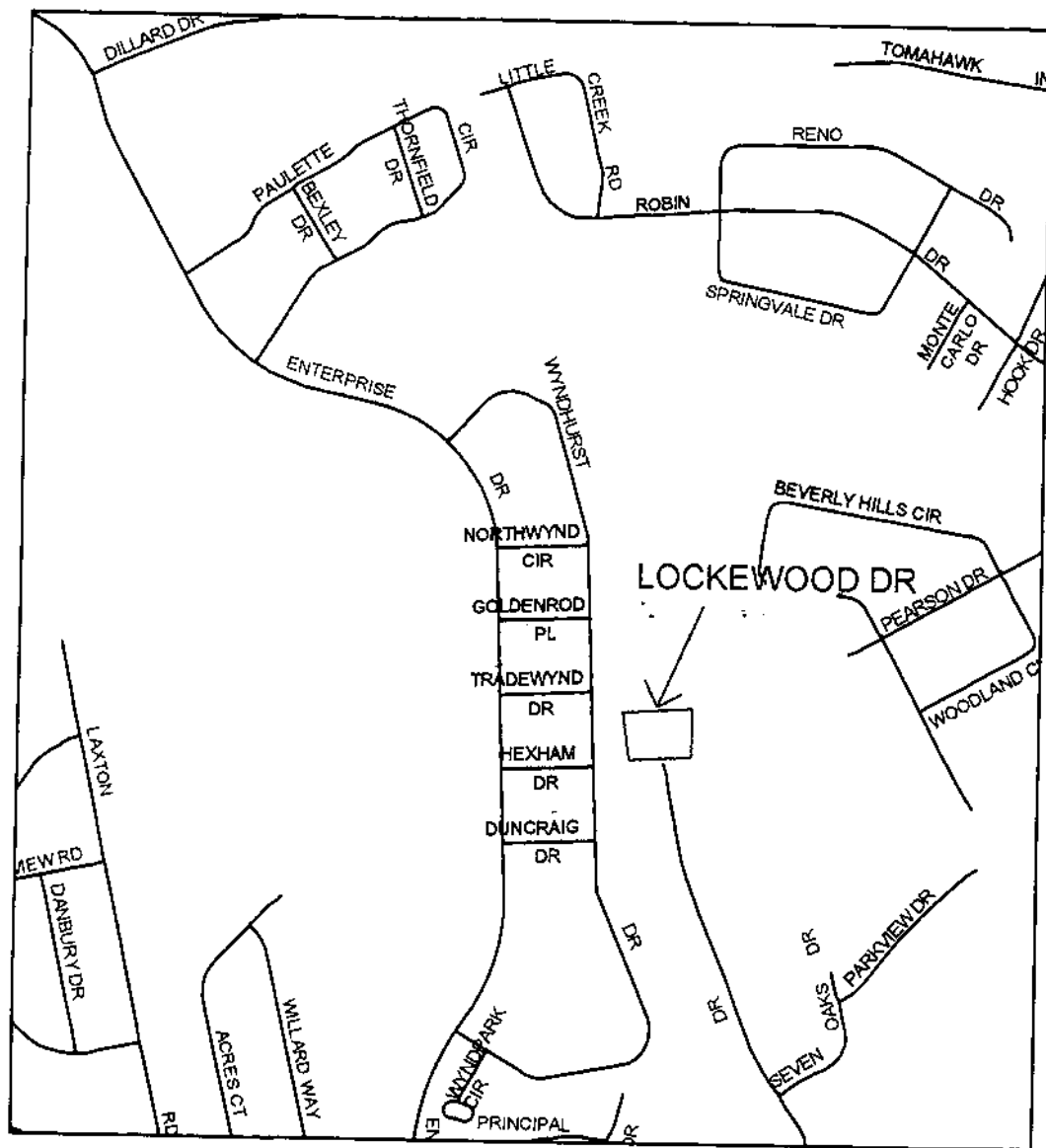
## PROPOSED R.O.W. VACATION

THE CITY OF LYNCHBURG, VIRGINIA



DEPT. OF PUBLIC WORKS  
GIS

DESIGNED BY:	DRAWN BY:	R G Cash	CHECKED BY:
APPROVED BY:	PROJECT NO.:		
SCALE:	N.T.S		
DATE:	4/16/2003	SHEET	1 OF 2



## LOCKWOOD DR VICINITY MAP

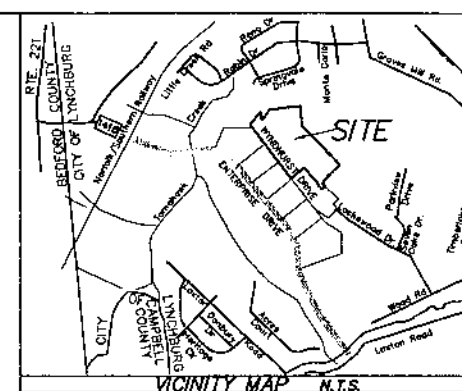
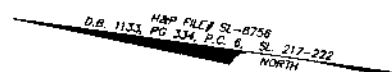
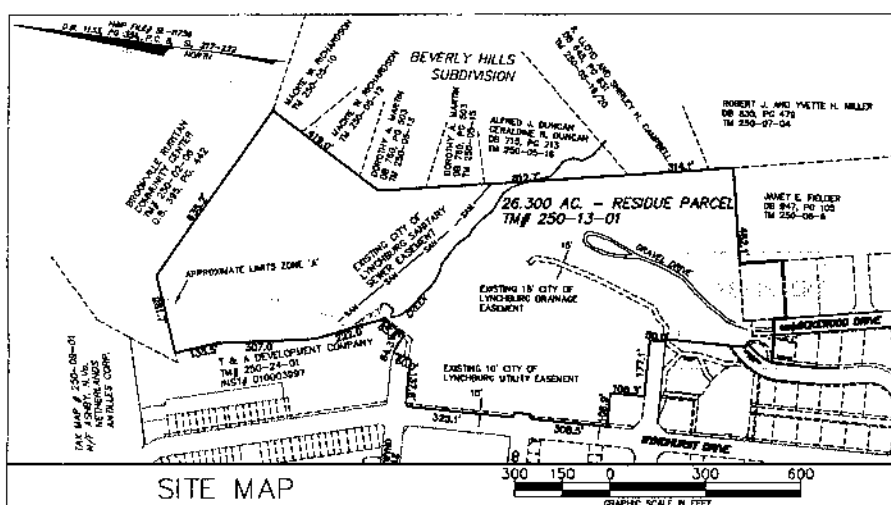
THE CITY OF LYNCHBURG, VIRGINIA



DEPT. OF PUBLIC WORKS  
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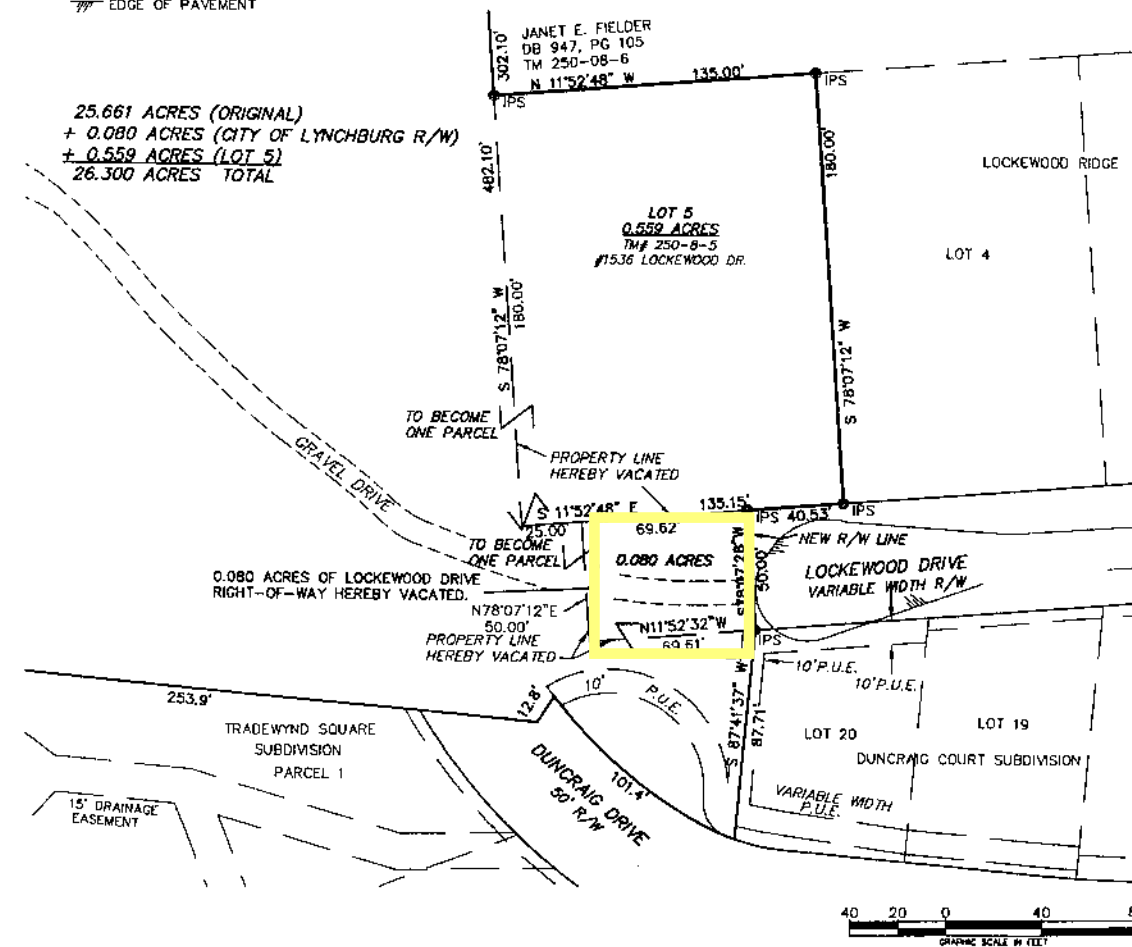
DESIGNED BY:	DRAWN BY:	RGCash	CHECKED BY:
APPROVED BY:	PROJECT NO.:		
SCALE:	N.T.S		
DATE:	4/16/2003		
SHEET		2 OF 2	





**LEGEND**  
 ○ IPS IRON PIN SET  
 --- EDGE OF PAVEMENT

25.661 ACRES (ORIGINAL)  
 + 0.080 ACRES (CITY OF LYNCHBURG R/W)  
 + 0.559 ACRES (LOT 5)  
 26.300 ACRES TOTAL



**SOURCE OF TITLE:**  
 JAMERSON COMPANY, FORMERLY  
 J.E. JAMERSON & SONS, INC.  
 D.B. 978, PG. 710 (CITY OF LYNCHBURG)  
 D.B. 1012, PG. 670 (CITY OF LYNCHBURG)

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

THIS PLAT HAS BEEN PREPARED FROM RECORD DATA TAKEN FROM THE PLAT OF WYNDHURST SUBDIVISION AND RECORDED IN P.C. 6, SL. 217-222 OF THE CIRCUIT COURT CLERKS OFFICE OF LYNCHBURG, VIRGINIA.

ON A DATE NOT DETERMINED, CITY COUNCIL WILL NEED TO VOTE IN FAVOR OF ABANDONING 0.080 ACRES OF THE RIGHT-OF-WAY ON LOCKWOOD DRIVE.

THE AREA SHOWN IS LOCATED IN ZONE 'C' AND DOES NOT FALL WITHIN FLOOD HAZARD ZONE 'A' FOR A 100 YEAR FLOOD AS SHOWN ON A MAP BY F.E.M.A. DATED SEPTEMBER 1, 1978. PROPERTY IS SERVED BY WATER AND SEWER FROM THE CITY OF LYNCHBURG.

EXISTING UTILITIES ARE UNDERGROUND.  
 THIS DRAWING HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY AS PER DATE OF THIS PLAT.

THE SUBDIVISION OF THE LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LAND AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME.

REPRESENTATIVE FOR JAMERSON COMPANY DATE

COMMONWEALTH AT LARGE TO WIT:  
 STATE OF VIRGINIA  
 COUNTY/CITY OF

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

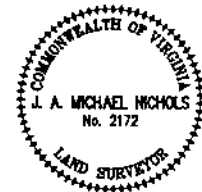
NOTARY PUBLIC

SUBDIVISION APPROVED:

DIRECTOR OF ENGINEERING, LYNCHBURG, VIRGINIA

CITY MANAGER, LYNCHBURG, VIRGINIA

CITY PLANNER, LYNCHBURG, VIRGINIA



PROJECT NO. 20030098  
 G.I. NO. 264-01-42.7  
 FILE NO. SL-2879  
 DATE: 03-13-03  
 DRAWN BY: MBT  
 CHECKED BY: JMN

HURT & PROFFIT

SHEET NO.  
 1 OF 1

**HURT & PROFFIT**  
 ENGINEERS & SURVEYORS & PLANNING  
 INCORPORATED  
 1000 COMMONWEALTH BLVD.  
 LYNCHBURG, VA 24501  
 800-342-4506 TOLL FREE  
 434-847-2796 FAX  
 434-847-0047 FAX